IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.A.ABDUL GAFOOR
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

WA.No. 200 of 2007

AGAINST THE JUDGEMENT IN WPC.13864/2006 Dated 12/10/2006

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APPELLANT: PETITIONER

K.N. HARSHAKUMAR, WATCHER,
UPARIKUNNAM DEVASWOM, TRAVANCORE DEVASWOM BOARD,
KOLLAM GROUP.
(LAKSHMI SADANAM, PERUMON, KOLLAM.)

BY ADV. SRI.K.KARTHIKEYA PANICKER
SMT.DAYA K. PANICKER

RESPONDENTS: RESPONDENTS
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1. THE TRAVANCORE DEVASWOM BOARD,
REPRESENTED BY THE SECRETARY,
DEVASWOM BOARD OFFICE, THIRUVANANTHAPURAM.

2. THE COMMISSIONER,
TRAVANCORE DEVASWOM BOARD,
DEVASWOM BOARD OFFICE, THIRUVANANTHAPURAM.

BY ADV. SRI.P.PARAMESWARAN NAIR, SC, TDB

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 02/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.A.ABDUL GAFOOR &

K.R. UDAYABHANU, JJ.

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W.A. NO. 200 OF 2007

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DATED THIS THE 2ND DAY OF FEBRUARY 2007

JUDGMENT

Abdul Gafoor,J.

According to the petitioner, he is qualified for the appointment as a teacher in Mridangam in the Kshetra Kalapeedoms under the respondents. His representation in that regard was answered in Ext.P7 to the effect that as at present Mridangam was not included in the syllabus and therefore, his application could not have been considered. Challenging Ext.P7, it was contended before the learned single Judge that the view taken in Ext.P7 was wrong. Even in another instrument, mogharsank, an incumbent was appointed without including that instrument in the syllabus. But unfortunately there was no challenge against that appointment, learned single Judge noted. While considering the application of the petitioner, he was informed that Mridangam in which he is qualified was not included in the syllabus and hence he could not be appointed. The petitioner contended that the subject (Mridangam) shall be included in the syllabus and students shall be admitted. That is an administrative

matter and it cannot be left to judicial review by this Court unless a decision, one way or the other is taken by the authority concerned. It is contended by the petitioner that the appointment of teacher in Mogharsangh is illegal. Further illegality, as contended by the petitioner, cannot be committed to appoint him in Mridangam. Even otherwise, counter affidavit of the respondents discloses that Mogharsangh was a subject included in the syllabus. Therefore, we see no reason to interfere with the view taken by the learned single Judge. The writ appeal is dismissed.

Sd/-

K.A.ABDUL GAFOOR
JUDGE

Sd/-
K.R.UDAYABHANU,
JUDGE

ks. **TRUE COPY**

P.S.TO JUDGE